

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

TRACY H. NEIBERGER,

Petitioner,

v.

UNITED STATES, et al.,

Respondents.

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Case No. CIV-25-216-D

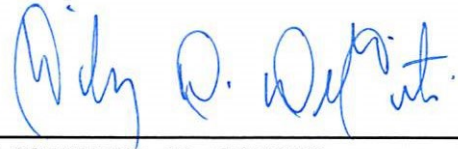
**ORDER**

Before the Court is United States Magistrate Judge Chris M. Stephens' Report and Recommendation [Doc. No. 9] filed pursuant to 28 U.S.C. § 636(b)(1)(B)-(C). Judge Stephens recommends dismissing the action without prejudice for failing to file an in forma pauperis motion or, in the alternative, paying the filing fee.

The case file shows no timely objection to the Report nor request for an extension of time, even though Petitioner was expressly informed of her right to object, the deadline for doing so, and the firm waiver rule. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). Therefore, the Court finds that Petitioner has waived further review of all issues addressed in the Report. *See id.*; *see also United States v. 2121 East 30th Street*, 73 F.3d 1057, 1060 (10th Cir. 1996).

**IT IS THEREFORE ORDERED** that the Report and Recommendation [Doc. No.9] is **ADOPTED** in its entirety. Petitioner's action is **DISMISSED** without prejudice. A separate Judgment shall be entered accordingly.

**IT IS SO ORDERED** this 28<sup>th</sup> day of May 2025.



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TIMOTHY D. DeGIUSTI  
Chief United States District Judge